

**MINUTES OF THE CITY OF LAS VEGAS CITY COUNCIL REGULAR MEETING HELD
ON WEDNESDAY, DECEMBER 19, 2018 AT 6:00 P.M. IN THE CITY COUNCIL
CHAMBERS**

MAYOR: Tonita Gurulé-Girón

COUNCILORS: David A. Ulibarri, Jr.- Absent
Barbara A. Casey
Vincent Howell
David G. Romero

ALSO PRESENT: Ann Marie Gallegos, Interim City Manager
Casandra Fresquez, City Clerk
Esther Garduno Montoya, City Attorney
Sergeant at Arms - Absent

CALL TO ORDER

ROLL CALL

Mayor Tonita Gurulé-Girón stated that Councilor Ulibarri, Jr. was absent.

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

Councilor Romero asked for a moment of silence to remember community members who had passed away this month, prayed for peace and for Council to make good decisions for the community.

APPROVAL OF AGENDA

Councilor Howell made a motion to approve the agenda as is. Councilor Casey seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

David G. Romero	Yes	Vincent Howell	Yes
Barbara A. Casey	Yes	David A. Ulibarri, Jr.	Absent

City Clerk Fresquez re-read the motion and advised that the motion carried.

APPROVAL OF MINUTES

Councilor Casey made a motion to approve the minutes of November 14th and November 20, 2018 with amendments. Councilor Howell seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

Barbara A. Casey	Yes	David G. Romero	Yes
Vincent Howell	Yes	David A. Ulibarri, Jr.	Absent

City Clerk Fresquez re-read the motion and advised that the motion carried.

MAYOR'S APPOINTMENTS/REPORTS

Mayor Gurulé-Girón wished her colleagues, the community and City staff a Merry Christmas and a Happy New Year, she commended City staff for all their hard work and advised there was additional good news coming soon.

MAYOR'S RECOGNITIONS/PROCLAMATIONS

Mayor Gurulé-Girón advised there were no recognitions or proclamations at this time.

PUBLIC INPUT

Vikki Gold spoke briefly regarding receiving five-hundred-dollar water bills every four months in the last year and asked if anything could be done to help her.

Mayor Gurulé-Girón advised that Interim City Manager Gallegos and Utilities Director Gilvarry would help her and look thoroughly into the matter.

Marshall Poole gave a detailed report of activities for the month of November regarding the Animal Welfare Coalition.

Lalo Sanchez spoke of several issues at the Senior Center such as a sidewalk lifted by a tree which was unleveled and hazardous and heating issues. He stated that a permanent City Manager and City Clerk had not been appointed and he highly suggested that Ann Marie Gallegos be appointed to City Manager and Casandra Fresquez to remain as City Clerk and that they were both highly qualified for the positions.

Interim City Manager Gallegos advised Mr. Sanchez that the issues he mentioned would be looked into and hopefully make improvements at the Senior Center.

PRESENTATIONS

Scott Verhines, Lauren Gold and Niva Romero from Stantec Consulting Services Inc. gave a lengthy detailed presentation/powerpoint regarding a Utility Rate Analysis for water, waste water sanitary and raw water utilities for the City of Las Vegas. *A complete copy of report may be obtained at the City of Las Vegas, City Clerk's Office.*

CITY MANAGER'S REPORT

Interim City Manager Gallegos advised she had nothing to report at this time.

Mayor Gurulé-Girón asked Ms. Gallegos to address questions that Councilor Romero had regarding positions being filled.

Councilor Romero clarified that he was requesting an update regarding the Interim positions that would entail the Interim City Manager to bring before Council for approval, as stated in the Governing Body Rules and Procedures. He stated that it had been a year that these interim positions had been held and felt it was time to vote and make a decision to appoint Directors, City Manager, City Clerk and Finance Manager and to move forward in this new year.

Interim City Manager Gallegos agreed with Councilor Romero and stated that Director positions were critical, that she was looking at who would fit and felt that some of the interim directors had been doing a great job and would bring some recommendations to Council for approval, hopefully at the January meeting.

Councilor Howell asked if an Interim City Manager was allowed to appoint an Interim Director to a Director.

City Attorney Esther Garduno Montoya stated that there was nothing in the City Charter that prevented that.

Brief discussion took place regarding the Interim City Manager appointing an Interim Director to Director and Interim positions being approved by the Council.

Mayor Gurulé-Girón stated that she believed that most of the interim positions had been brought to Council for approval and asked City Manager Gallegos to look into the Interim positions for Community Development and Public Works interim approvals.

Interim City Manager Gallegos advised she and the City Attorney would look into the matter.

Councilor Romero asked if the interim contracts were month to month.

Interim City Manager Gallegos explained they were month to month for a period of six months and may be extended, at the discretion of the City Manager.

FINANCE REPORT

Interim Finance Director Tana Vega introduced the newly hired Deputy Finance Director, Dominic Chavez. She presented the finance report for the month ending November 30, 2018, reporting that General Fund revenues came in at 37% and expenditures were at 33%. Enterprise Funds revenues were at 36% and expenditures came in at 26% and Recreation Department revenues were at 35% and expenditures were reported at 31%.

Councilor Howell asked for an update regarding the Operator, Level 4 vacancy in the Utilities Department.

Utilities Director Maria Gilvarry explained that they had contracted out with Sauder Miller, which allowed the City to have access to state required, level 4 operators or other services needed by the department and advised that she was currently looking to hire a permanent City employee and a long term consultant. Ms. Gilvarry informed that the costs for consultants would come out of the water department, professional services fund, which was already encumbered. She informed the professional services cost was at \$60,000.00 although she was in the process of putting out an RFP for the long-term services, which would be more cost effective for the City.

Councilor Casey welcomed Mr. Chavez as the new Deputy Finance Director and looked forward to working with him. She stated that she did not want to see Ms. Vega leave and had great personal admiration for her.

Ms. Vega thanked everyone for the opportunity to serve the community.

CONSENT AGENDA

City Clerk Fresquez read the Consent Agenda into the record.

1. Approval of Out of State Travel to Tulsa, Oklahoma.
2. Approval Resolution #18-49 Disposition of Obsolete, Worn-Out or Unusable Tangible Personal Property.

Resolution was presented as follows:

**STATE OF NEW MEXICO
MUNICIPALITY OF CITY OF LAS VEGAS
RESOLUTION NO. 18-49
DISPOSITION OF OBSOLETE, WORN-OUT OR UNUSABLE TANGIBLE PERSONAL
PROPERTY**

WHEREAS, the Governing Body in and for the Municipality of the City of Las Vegas have adopted NMSA 1978 Section 13-6-1, the State of New Mexico's Disposition of obsolete, worn-out or unusable tangible personal property, and applicable federal law and regulations, and

WHEREAS, said policy was developed for use by the governing bodies of each state agency, local public body, school district and state educational institution, and

WHEREAS, it is the majority opinion of this governing body that the State of New Mexico, Disposition of Obsolete, Worn-Out or Unusable Tangible Personal Property meets the requirements of the City of Las Vegas, and

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the Governing Body of the Municipality of the City of Las Vegas, State of New Mexico hereby adopts the State of New Mexico's Disposition of Obsolete, Worn-Out or Unusable Tangible Personal Property and applicable federal law and regulations.

RESOLVED: In session this 19th day of December, 2018.

MUNICIPAL GOVERNING BODY
LAS VEGAS, NEW MEXICO

TONITA GURULE-GIRON, MAYOR

ATTEST:

CASANDRA FRESQUEZ, CITY CLERK

(SEAL)

APPROVED FOR LEGAL SUFFICIENCY:

ESTHER GARDUNO-MONTOYA, CITY ATTORNEY

Councilor Casey made a motion to approve the Consent Agenda as read into the record. Councilor Howell seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

David G. Romero	Yes	Vincent Howell	Yes
Barbara A. Casey	Yes	David A. Ulibarri, Jr.	Absent

City Clerk Fresquez re-read the motion and advised that the motion carried.

BUSINESS ITEMS

1. Conduct a public hearing and Approval/Disapproval to adopt Ordinance No. 18-08, an ordinance granting a franchise to Comcast of Colorado/Florida/Michigan /New Mexico/Pennsylvania/Washington, LLC.

Councilor Casey made a motion to go into Public Hearing. Councilor Howell seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

David G. Romero	Yes	Vincent Howell	Yes
Barbara A. Casey	Yes	David A. Ulibarri, Jr.	Absent

City Clerk Fresquez re-read the motion and advised that the motion carried.

City Clerk Fresquez asked anyone who wished to speak on the issue to please stand and be sworn in. Erin Muffoletto was sworn in.

City Clerk Casandra Fresquez advised that they were requesting to adopt Ordinance No. 18-08. The last cable franchise agreement approved by Council was in 1997. Attorney Danelle Smith has reviewed and approved the proposed franchise agreement. Council approved publication of Ordinance 18-08 at their regular meeting on November 20, 2018.

Councilor Romero wanted to make sure that the line of service was provided to the Municipal buildings that had been agreed upon.

Councilor Howell asked for clarification regarding the equipment used by Highlands University to videotape Council meetings.

City Clerk Fresquez explained that once the adoption of the ordinance was approved, Highlands would turn over that piece of equipment to the City and the IT Department would set it up to utilize for recording.

Councilor Casey made a motion to accept the record proper and to close Public Hearing. Councilor Howell seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

David G. Romero	Yes	Barbara A. Casey	Yes
Vincent Howell	Yes	David A. Ulibarri, Jr.	Absent

City Clerk Fresquez re-read the motion and advised that the motion carried.

Councilor Casey made a motion to reconvene into regular session. Councilor Howell seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

David G. Romero	Yes	Vincent Howell	Yes
Barbara A. Casey	Yes	David A. Ulibarri, Jr.	Absent

City Clerk Fresquez re-read the motion and advised that the motion carried.

Councilor Howell made a motion to approve to adopt Ordinance No. 18-08, an ordinance granting a franchise to Comcast of Colorado/Florida/Michigan/New Mexico/Pennsylvania/Washington, LLC. Councilor Casey seconded the motion.

Due to the length of Ordinance 18-08 an ordinance granting a franchise to Comcast of Colorado/Florida/Michigan/New Mexico/Pennsylvania/Washington, LLC., a complete copy may be picked up at the City Clerk's Office.

Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

Barbara A. Casey	Yes	David G. Romero	Yes
Vincent Howell	Yes	David A. Ulibarri, Jr.	Absent

City Clerk Fresquez re-read the motion and advised that the motion carried.

2. Approval/Disapproval of task order with Stantec Engineers.

Utilities Director Maria Gilvarry advised that Stantec Engineers will be performing a utility rate study for water, waste water, sanitary and raw water utilities for the City of Las Vegas. She added that it consisted of the current rate tier structure being improved to still meet the City's needs without impacting the low income as much as it has and would be brought back to Council for approval.

Councilor Casey asked questions regarding the task orders, a statement on the contract regarding normalizing the projection of rainfall and reimbursable expenses being at 110%.

Utilities Director Gilvarry and Stantec Representative Verhines addressed all the questions asked by Councilor Casey.

Councilor Howell asked questions regarding future community involvement meetings held by Stantec.

Mr. Verhines advised that the contract included two community involved/public input meetings although more meetings could be added if Council desired.

Councilor Howell stated that the Council was under a lot of pressure from the community to not raise utility rates and he was looking forward to working with Stantec on the rate structure.

Stantec representative Verhines stated that it was always challenging for a community to address its rate structure and that the structure had to be tailored to that specific community to make them work. He added that the approach that Stantec wanted to take was by building in the affordability component and to make sure they understand the City's different customer categories, as to what is affordable in those areas.

Mayor Gurulé-Girón thanked everyone involved in regards to addressing the rate structure and stated she spoke with Utilities Director Gilvarry and Interim City Manager Gallegos about bringing back the rate structure for review and analysis and informed that years past, she had voted against the initial rate structure due to rates being extremely high for residents and commercial users. She stated that the Enterprise funds were healthy and it was a good time to review the rate structure.

Councilor Romero asked for clarification on the public input meetings regarding on how more data would help in the rate structure.

Mr. Verhines advised there were many different methods in addressing rate structures and would begin with re-evaluating the City's current block rate mechanism in place, to see another way to approach it. He spoke in detail of examples and different rate methods that could be used with many different customer backgrounds.

Utilities Directory Gilvarry explained that the changes to the billing would be explained to the customer throughout the whole process.

Discussion took place regarding the sustainability of the Enterprise Funds throughout the changes to the rate structure.

Mayor Gurulé-Girón spoke on how important it was to provide the community a fair and equitable rate and felt that another important issue was to possibly raise the ceiling on the consumption use. She explained that once reaching the 4000 gallon threshold, it was difficult to pay penalties.

Councilor Romero asked how long it would take to complete the rate structure process.

Mr. Verhines advised that the whole process should take approximately 8 months.

Councilor Casey made a motion to approve task order with Stantec Engineers. Councilor Howell seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

David G. Romero	Yes	Barbara A. Casey	Yes
Vincent Howell	Yes	David A. Ulibarri, Jr.	Absent

City Clerk Fresquez re-read the motion and advised that the motion carried.

3. Approval/Disapproval of sale of obsolete vehicles located at the Solid Waste Yard.

Interim Finance Director Tana Vega advised that the City of Las Vegas is requesting review and approval of attached listing of obsolete vehicles. These listed vehicles have been designated by the New Mexico State Environment Department as hazardous and have contacted the City of Las Vegas to remove the vehicles from the Solid Waste Yard and/or face a substantial fine and/or penalty.

Brief discussion and questions took place regarding the location and condition of the obsolete Police Department vehicles.

Councilor Romero asked for clarification on the process of purchasing the vehicles.

Interim Finance Director Vega explained that they were requesting to sell them as salvage, as one unit, she added that if they had been operable with motors intact, they would have auctioned them off.

Discussion took place regarding the process of selling the vehicles.

Councilor Romero made a motion to approve the sale of obsolete vehicles located at the Solid Waste Yard. Councilor Casey seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

Vincent Howell	Yes	Barbara A. Casey	Yes
David G. Romero	Yes	David A. Ulibarri, Jr.	Absent

City Clerk Fresquez re-read the motion and advised that the motion carried.

4. Approval/Disapproval of Resolution No. 18-52 Administrative and Financial support adopting acceptance of \$150,000 for the FY 2019 New Mexico MainStreet (NMMS) Capital Outlay Public Infrastructure funding for the "Great Blocks on MainStreet: Railroad Avenue Phase I Construction Project and acceptance of the matching requirement".

Interim Community Development Director Virginia Marrujo advised that the City of Las Vegas in collaboration with MainStreet de Las Vegas was approved for funding by New Mexico MainStreet (NMMS) for \$150,000 in Capital Outlay for the Great Blocks project in the railroad district. NMMS requires a \$27,000 match of which \$5,000 has already been secured by MainStreet de Las Vegas.

Interim Community Development Director Marrujo and MainStreet Executive Director Michael Peranteau gave a detailed presentation of the Railroad District Project (Phase I).

Discussion took place regarding funding for the project, the project being part of the Metropolitan Redevelopment Plan and business opportunities.

Councilor Casey made a motion to approve Resolution No. 18-52 Administrative and Financial support adopting acceptance of \$150,000 for the FY 2019 New Mexico MainStreet (NMMS) Capital Outlay Public Infrastructure funding for the "Great Blocks on MainStreet: Railroad Avenue Phase I Construction Project and acceptance of the matching requirement". Councilor Howell seconded the motion.

Resolution 18-52 was presented as follows:

City of Las Vegas, NM
Resolution N. 18-52

A Resolution of Administrative and Financial Support adopting acceptance of \$150,000 for the FY 2019 New Mexico MainStreet (NMMS) Capital Outlay Public Infrastructure funding for the "Great Blocks on MainStreet: Railroad Avenue Phase I Construction Project and acceptance of the matching requirement".

ADOPTING THE FY 2018-2019 "GREAT BLOCKS ON MAINSTREET: RAILROAD AVENUE PHASE I CONSTRUCTION PROJECT"

WHEREAS, the New Mexico MainStreet evaluation committee recognized the application for funding was impressive and recommended an award of \$150,000 for the "Great Blocks" project in the Railroad District; and

WHEREAS, the funding for this project is made available through MainStreet Public Infrastructure by the sale of Severance Tax Bonds sold in June and the award was approved by the Economic Development Department Cabinet Secretary Matthew Geisel for the City; and

WHEREAS, capital improvements are an effective tool for communities to achieve necessary project development and the Railroad District is listed in the newly adopted Metropolitan Redevelopment Act Plan otherwise known as the Downtown Action Plan as an important catalytic development area; and

WHEREAS, the City of Las Vegas and MainStreet de Las Vegas (MSDLV) are committed to collaborating on the construction ready Great Blocks Project in the Railroad District; and

WHEREAS, the City's partner, MSDLV is working diligently to secure the "cash match" portion of the match requirement by New Mexico MainStreet on behalf of the City in the amount of \$27,000; and

WHEREAS, the City of Las Vegas is committed to providing a match of funds in the amount of \$45,000 of which \$27,000 will be cash and \$18,000 will be in-kind services if MSDLV is unable to secure matching funds.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF LAS VEGAS GOVERNING BODY that:

1. The City of Las Vegas has accepted the award of \$150,000 for the "Great Blocks" project and is committed to providing match funds up to, and in the amount of \$27,000 cash or less and \$18,000 in-kind for a total of \$45,000 if MSDLV cannot secure the total matching funds; and
2. The New Mexico MainStreet Public Infrastructure Grant Monitor, upon receipt of Resolution 18-52, will begin the process of developing the detailed grant agreement between the City of Las Vegas and NMMS.

PASSED, APPROVED AND ADOPTED THIS _____ day of December _____, 2018

CITY OF LAS VEGAS

Mayor Tonita Gurulé-Girón
(Seal)

ATTEST:

Casandra Fresquez, City Clerk

Esther Garduño-Montoya, City Attorney
(for legal sufficiency only)

Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

David G. Romero	Yes	Vincent Howell	Yes
Barbara A. Casey	Yes	David A. Ulibarri, Jr.	Absent

City Clerk Fresquez re-read the motion and advised that the motion carried.

COUNCILORS' REPORTS

Councilor Romero had questions regarding the treadmills and boilers at the Recreation Center.

Recreation Center Maintenance Supervisor George Cowden advised there were 9 out of 10 treadmills running and would be ordering a circuit panel to repair the one. He reported that the boiler was being serviced by contractors.

Interim City Manager Gallegos advised that they were requesting Legislative appropriation, on an emergency basis to purchase a new boiler and housing for the boiler as well.

Councilor Romero asked if the Council would be involved in Legislative requests.

Interim City Manager Gallegos advised that she met with department directors, reviewed the ICIP and determined main projects for the ICIP and had been brought to Council for approval. She advised she would provide the current listing with the Recreation Center emergency project included.

Councilor Casey had questions regarding the presentation by Leo Montoya on the Mass Casualty Plan and the Police Department contract.

Interim City Manager Gallegos advised that they had tried to contact Mr. Montoya although he was not reachable. She stated that his office had contacted the City last Friday afternoon however agendas had already been completed and gone out and informed they would get in contact with him to present at January's meeting. Interim City Manager Gallegos advised that the Police Department contract was still under negotiations.

Councilor Casey had concerns regarding Las Vegas Night due to the last two years, not more than six Legislators had attended the event and it was very important that they did, in order for them to lobby. She spoke of the importance of getting more Legislators involved in order to receive appropriations and stated that it would be nice to have an event that was not so elaborate. She suggested that the City could give all employees a Christmas bonus from any funds available from the General Fund to show appreciation to them instead of having it go to Las Vegas Night, when it did not get results that the City needed. Councilor Casey stated that she appreciated the hard work from Virginia Marrujo and staff although suggested something different for the future to get legislators there.

Interim City Manager Gallegos advised that since it was the long session, they were going try and get a hold of more Legislators, and were trying to get sponsorships for funding. She advised they try not to use General funds, if not needed.

Interim Community Development Interim Director Marrujo gave a detailed status on the itinerary for Las Vegas Day/Night and advised they would bring back another update in January.

Discussion took place regarding Las Vegas Day/Night, New Mexico State Representatives and Legislators that would be present.

Mayor Gurulé-Girón advised that she believed the City did not need lobbyists due to them not bringing additional funding. She stated that she felt the City had been very successful with our projects and added that Legislators did not always show up although when it came to the funding cycle, the Legislators did support the City's projects. Mayor Gurulé-Girón advised that she felt they had been very aggressive this year regarding getting to the Legislators and thanked Ms. Marrujo and her staff for all her help regarding fundraising for the event.

Councilor Howell stated he wrote a letter to Santa which included hopes and wishes for this year for having strong discussions about annexation which would add to the GRT, to review all Ordinances that may need changes and to make an effort to review the City Charter which was long overdue. He added that the Recreation Center use fees needed to be looked at as well due to some children in the community that could not afford them. Councilor Howell advised that discussion pertaining to bringing in businesses to Las Vegas needed to take place and also that a Boys and Girls Club would be a great benefit to our children. He wished everyone a Merry Christmas.

Mayor Gurulé -Girón advised that the City had been completing many projects and would continue to be successful and wished all City staff a Merry Christmas and added that additional funding (Capital Project specific) was coming in for the Senior Center.

EXECUTIVE SESSION

Interim City Manager Gallegos advised there was no need for Executive Session.

ADJOURN

Councilor Casey made a motion to adjourn. Councilor Howell seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

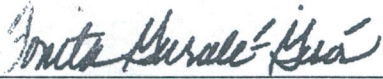
David G. Romero
Vincent Howell

Yes
Yes

Barbara A. Casey
David A. Ulibarri, Jr.

Yes
Absent

City Clerk Fresquez re-read the motion and advised that the motion carried.



Mayor Gurulé-Girón

ATTEST:



Casandra Fresquez City Clerk